

House Engrossed

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
First Regular Session  
2003

CHAPTER 186

# HOUSE BILL 2258

AN ACT

AMENDING SECTION 25-401, ARIZONA REVISED STATUTES; RELATING TO CHILD CUSTODY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 25-401, Arizona Revised Statutes, is amended to  
3 read:

4 25-401. Jurisdiction; commencement of proceedings

5 A. Jurisdiction for child custody proceedings is governed by chapter  
6 8 of this title.

7 B. A child custody proceeding is commenced in the superior court:

8 1. By a parent, by filing a petition for either of the following:

9 (a) Dissolution or legal separation.

10 (b) Custody of the A child in the county in which the child is  
11 permanently resident or found BORN OUT OF WEDLOCK IF THERE HAS BEEN A PRIOR  
12 ESTABLISHMENT OF MATERNITY OR PATERNITY.

13 2. By a person other than a parent, by filing a petition for custody  
14 of the child in the county in which the child is permanently resident or  
15 found, but only if the child is not in the physical custody of one of the  
16 child's parents.

17 3. AT THE REQUEST OF ANY PERSON WHO IS A PARTY TO A MATERNITY OR  
18 PATERNITY PROCEEDING PURSUANT TO CHAPTER 6, ARTICLE 1 OF THIS TITLE.

19 ~~C. Subsection B, paragraph 1, subdivision (b) does not apply if a~~  
20 ~~child is born out of wedlock and there has not been a prior adjudication of~~  
21 ~~maternity or paternity.~~

APPROVED BY THE GOVERNOR MAY 9, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 12, 2003.

Passed the House March 5, 2003,

Passed the Senate May 5, 2003

by the following vote: 55 Ayes,

by the following vote: 29 Ayes,

0 Nays, 5 Not Voting

0 Nays, 1 Not Voting

Jake Flake  
Speaker of the House

Klu Bennett  
President of the Senate

Sorman L. Moore  
Chief Clerk of the House

Charmine Bellinger  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

6 day of May, 2003

at 12:06 o'clock P. M.

Sandra Ramirez  
Secretary to the Governor

Approved this 9 day of

May, 2003,

at 9<sup>00</sup> o'clock A. M.

Jan. N. [Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 12 day of May, 2003,

at 4:35 o'clock P. M.

Janice L. Brewer  
Secretary of State

H.B. 2258